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Pursuant to Civil L.R. 3-16, the undersigned certifies that the following listed persons, associations of persons, firms, partnerships, corporations (including parent corporations) or other entities (i) have a financial interest in the subject matter in controversy or in a party to the proceeding, or (ii) have a non-financial interest in that subject matter or in a party that could be substantially affected by the outcome of this proceeding:

- 1. Plaintiff Farnam Companies, Inc.;
- 2. Central Garden & Pet Co. – parent company of Farnam Companies, Inc.

Dated: October 19, 2007

GEORGE YUHAS SARAH MARRIOTT ORRICK, HERRINGTON & SUTCLIFFE LLP

> Attorneys for Plaintiff Farnam Companies, Inc.